

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

SILICON CRYSTAL TECHNOLOGY, LLC et al., )  
 )  
 Plaintiffs, )  
 )  
 vs. )  
 )  
 RTI AMERICA, INC., et al., )  
 )  
 Defendants. )

Case No. 2:10-cv-01710-PMP-PAL

**ORDER**

(Mtn to Withdraw - Dkt. #68)

This matter is before the court on the Motion to Withdraw (Dkt. #68) filed July 31, 2012. Mark G. Tratos and Donald L. Prunty seek to withdraw as counsel of record for Plaintiffs/Counterdefendants Silicon Crystal Technology, LLC, and VC America, Inc., and Third-Party Defendant Thomas Hardy. The Motion represents that Silicon, VC America, and Hardy have not paid for legal services on a timely or complete basis. Counsel contend that continued representation would cause an unreasonable financial burden. In addition, counsel can no longer effectively communicate with their clients, making further representation unreasonably difficult. Local Rule IA 10-6 provides that “no withdrawal . . . shall be approved if delay of discovery, the trial or any hearing in the case would result.” Plaintiffs filed the Complaint (Dkt. #1) on October 1, 2010. Discovery closes on January 7, 2013. *See* Order on Stipulation (Dkt. #64) (extending case management deadlines and noting no further extensions will be permitted).

**IT IS ORDERED:**

1. The Motion to Withdraw (Dkt. #68) is GRANTED.
2. Third-Party Defendant Thomas Hardy shall have until **September 3, 2012**, in which to retain new counsel who shall file a notice of appearance in accordance with the Local Rules of Practice or to file a statement that he will proceed pro se.

3. A corporation cannot appear except through counsel. *U.S. v. High Country Broadcasting Co., Inc.*, 3 F.3d 1244, 1245 (9th Cir. 1993); *Rowland v. California Men's Colony*, 506 U.S. 194, 201-02 (1993). Therefore, Plaintiffs/Counterdefendants Silicon Crystal Technology, LLC, and VA America, Inc., shall have until **September 3, 2012**, in which to retain counsel who shall file a notice of appearance in accordance with the Local Rules of Practice.
4. Failure to comply with this order may result in a recommendation to the District Judge for sanctions, including case-dispositive sanctions.
5. The Clerk of Court shall serve a copy of this Order on the following:
  - Thomas Hardy  
2654 W. Horizon Ridge Pkwy., Suite B5-119  
Henderson, NV 89052
  - VC America, Inc.  
2654 W. Horizon Ridge Pkwy., Suite B5-119  
Henderson, NV 89052
  - Silicon Crystal Technology, Inc.  
2654 W. Horizon Ridge Pkwy., Suite B5-119  
Henderson, NV 89052

Dated this 1st day of August, 2012.

  
PEGGY A. LEEN  
UNITED STATES MAGISTRATE JUDGE